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cont wherein the transformed plant cell comprises a target gene in operative linkage with an abiotic stress-induced root promoter which directs expression of the target gene.

B2 37. (twice amended) A seed comprising a gene in operative linkage with an abiotic stress-induced root promoter which directs expression of the target gene.

B3 64. (amended) A transformed plant cell comprising a target gene in operative linkage with an abiotic stress-induced root promoter which directs expression of the target gene.

65. (amended) A transformed plant comprising a target gene in operative linkage with an abiotic stress-induced root promoter which directs expression of the target gene.

B4 66. (amended) The transformed plant cell of claim 64, wherein said root promoter is btg26.

67. (amended) The transformed plant of claim 65, wherein said root promoter is btg26.

68. (amended) The seed of claim 37, wherein said root promoter is btg26.

Please add new claim 69 as follows:

B5 69. (new) A method for directing expression of a target gene within the root of a plant, comprising, obtaining a plant comprising a target gene in operative linkage with an abiotic stress-induced root promoter, and growing said plant, wherein said abiotic stress-induced root promoter is characterized as exhibiting at least about 1.25 more activity in root tissue than in leaf tissue, when said plant is grown under non-stress-induced conditions.

REMARKS/ARGUMENTS

By this amendment, claims 7, 37, and 64-68 are amended, and claim 69 has been added. Claims 7, 8, 26, 37-39, and 64-69 are pending in the application.

Claims 7, 37 64 and 65 have been amended to define the abiotic, stress-induced regulatory element as an abiotic, stress-induced root promoter. Support for root promoter activity may be found in Example 5, with reference to Figures 10-12.

Claims 66-68 have been amended to depend from claims 54, 65 and 37, respectively.